

Please replace the paragraph at page 12, lines 20-27, with the following:

C2 --The present method provides new and effective methods for suppressing the expression of *Agrobacterium* oncogenes. In particular, this invention is directed at, *inter alia*, producing plants that are capable of substantially inhibiting the formation of bacterially induced galls. These plants are produced by selecting a target gene of *Agrobacterium* origin, designing a nucleic acid (typically DNA) BR construct encoding untranslatable single-stranded RNA, double-stranded RNA, and/or untranslatable double-stranded RNA molecules having a high sequence identity to the target gene, and introducing at least one of these BR constructs into a host cell.--

In the Claims:

Please amend the claims to read as follows:

C3 1. (Once amended) A method of producing a plant cell that is resistant to gall disease, the method comprising transforming a plant cell with a nucleic acid molecule that is at least 90% homologous to a gene responsible for causing gall disease, wherein the nucleic acid molecule encodes an untranslatable plus-sense RNA molecule, a double-stranded RNA molecule, or an untranslatable double-stranded RNA molecule, wherein the RNA molecule is at least 700 base pairs in length and comprises at least one stop sequence, and wherein the gene comprises a nucleic acid sequence as set forth as SEQ ID NO: 10, thereby producing a plant cell that is resistant to gall disease.

2. (Cancelled).

C4 3. (Once amended) A plant-transformation vector, comprising the nucleic acid molecule of claim 1.

4. (Reiterated) A plant cell transformed with the plant-transformation vector of claim 3.

5. (Reiterated) A differentiated plant, comprising plant cells produced according to the method of claim 1.

6. (Once amended) A method of producing a plant resistant to gall disease caused by *Agrobacterium*, comprising:

transforming at least one plant cell with at least one nucleic acid molecule that is at least 90% homologous to a gene responsible for causing gall disease, wherein the nucleic acid molecule encodes an untranslatable plus-sense RNA molecule, a double-stranded RNA molecule, or an untranslatable double-stranded RNA molecule, wherein the RNA molecule is at least 700 base pairs in length and comprises at least one stop sequence, and wherein the gene comprises a nucleic acid sequence as set forth as SEQ ID NO: 10;

growing at least one plant from at least one transformed plant cell; and

selecting a plant that shows a reduced susceptibility to gall disease caused by *Agrobacterium*, thereby producing a plant resistant to gall disease caused by *Agrobacterium*.

7. (Once amended) A plant resistant to gall disease caused by *Agrobacterium*, produced by the method of claim 6.

8. (Reiterated) A chimeric plant, comprising at least one non-transformed plant cell grafted to the plant of claim 7.

9. (Once amended) A plant resistant to gall disease produced by sexual or asexual reproduction of the plant of claim 7.

10. (Once amended) A seed produced by selfing or outcrossing the plant of claim 7, wherein the seed comprises the nucleic acid molecule used to transform the plant cell.

11. (Once amended) A recombinant nucleic acid molecule comprising a nucleic acid sequence having at least 90% sequence identity with a gene responsible for causing gall disease, wherein the gene comprises a nucleic acid sequence as set forth as SEQ ID NO: 10, wherein the

nucleic acid sequence encodes an untranslatable plus-sense RNA molecule, a double-stranded RNA molecule, or an untranslatable double-stranded RNA molecule, wherein the RNA molecule is at least 700 base pairs in length and comprises at least one stop sequence, and wherein the recombinant nucleic acid molecule, when introduced into and transcribed in a plant, makes the plant resistant to gall disease.

12. (Reiterated) A vector, comprising the recombinant nucleic acid molecule of claim 11.

13. (Reiterated) A transgenic plant cell transformed with the vector of claim 12.

14. (Reiterated) A transgenic plant, comprising at least one transgenic cell transformed with a recombinant nucleic acid molecule, as recited in claim 13.

15. (Reiterated) The transgenic plant of claim 14, wherein the plant is selected from the group consisting of apricot, blackberry, pear, peach, plum, blueberry, cherry, kiwi, quince, raspberry, and rose.

16. (Reiterated) A chimeric plant, comprising at least one transgenic plant cell as recited in claim 13.

17. – 24. (Cancelled)

25. (Reiterated) The transgenic plant of claim 14, wherein the plant is chrysanthemum.

26. (Reiterated) The transgenic plant of claim 14, wherein the plant is selected from the group consisting of conifers and poplars.

27. (Reiterated) The transgenic plant of claim 14, wherein the plant is an ornamental shrub.

28. (Reiterated) The transgenic plant of claim 14, wherein the plant is selected from the group consisting of almond, apple, grape, and walnut.

29. – 40. (Cancelled)

41. (New) The method of claim 1, wherein the at least one stop sequence is located at a third codon in the nucleic acid sequence as set forth as SEQ ID NO: 10.

C1
42. (New) The method of claim 41, further comprising a deletion of two nucleotides following the third codon in the nucleic acid sequence as set forth as SEQ ID NO: 10.

43. (New) The method of claim 1, wherein the untranslatable plus-sense RNA molecule, double-stranded RNA molecule, or untranslatable double-stranded RNA molecule is at least 700 base pairs in length and comprises nucleotide residues between positions 1 through 1802 of the nucleic acid sequence as set forth as SEQ ID NO: 10.

44. (New) The method of claim 1, wherein the untranslatable plus-sense RNA molecule, double-stranded RNA molecule, or untranslatable double-stranded RNA molecule is at least 700 base pairs in length and comprises a nucleic acid sequence as set forth as SEQ ID NO: 7.

45. (New) The method of claim 6, wherein the at least one stop sequence is located at a third codon in the nucleic acid sequence as set forth as SEQ ID NO: 10.

46. (New) The method of claim 45, further comprising a deletion of two nucleotides following the third codon in the nucleic acid sequence as set forth as SEQ ID NO: 10.